

No. 08-3554

[illegible]

Submitted: November 13, 2009

Filed: November 18, 2009

Before BYE, BOWMAN, and BENTON, Circuit Judges.

PER CURIAM.

Inmate David Williams appeals the district court's¹ adverse grant of summary judgment in his 42 U.S.C. § 1983 action. Having conducted de novo review of the record, we conclude that the district court properly granted summary judgment in this matter. See Mason v. Corr. Med. Servs., Inc., 559 F.3d 880, 884-85 (8th Cir. 2009) (standard of review); see also Reed v. Lear Corp., 556 F.3d 674, 678 (8th Cir. 2009) (to defeat summary judgment, plaintiff must substantiate allegations with sufficient probative evidence permitting finding in his favor). We also find that the district court properly limited its consideration to those claims that Williams raised in his third amended complaint, which he filed through appointed counsel. See In re Wireless Tel. Fed. Cost Recovery Fees Litig., 396 F.3d 922, 928 (8th Cir. 2005). Accordingly, we affirm. See 8th Cir. R. 47B.

¹The Honorable Beth Deere, United States Magistrate Judge for the Eastern District of Arkansas, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).